

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL G. HURLEY,

Defendant.

NO. CR15-336 JCC

GOVERNMENT'S PROPOSED
VOIR DIRE

The United States of America, by and through Annette L. Hayes, Acting United States Attorney for the Western District of Washington, and Justin W. Arnold and Francis Franze-Nakamura, Assistant United States Attorneys for said District, and files and request the following voir dire questions be asked of the entire venire.

A. General Questions

1. Have any of you heard of this case before today?
2. Do any of you personally know any of the attorneys, the defendant, or witnesses in this case? (Court or counsel to read witness lists.)
3. Have any of you ever been a juror in a criminal case?
 - a. If so, was the jury able to reach a verdict?
4. Have any of you ever been a juror in a civil case?
 - a. If so, was the jury able to reach a verdict?

1 5. Have any of you ever served on a grand jury? Have any of you ever been a
2 witness in a criminal case?

3 6. Other than for minor traffic offenses and marriage dissolutions, have any of
4 you had to appear in court for any reason?

5 7. Have you ever had a particularly positive experience with any law
6 enforcement personnel, either local, state, or federal?

7 8. Have you ever had a particularly negative experience with any law
8 enforcement personnel, either local, state, or federal?

9 9. Are any of you employed in law enforcement?

10 10. Is anyone close to you employed in law enforcement?

11 11. Are any of you a criminal defense lawyer or employed by a criminal
12 defense lawyer or law firm?

13 12. Is anyone close to you a criminal defense lawyer or employed by a criminal
14 defense lawyer or law firm?

15 13. Are any of you employed by a court?

16 14. Is anyone close to you employed by a court?

17 15. Have any of you worked for a government agency?

18 16. Are any of you close to a person who works for a government agency?

19 17. Have you had any particularly negative experiences with a federal, state, or
20 local government agency?

21 18. Have any of you had a negative experience with, or do you hold strong
22 opinions about, the federal government?

23 19. Do you have any deadlines or emergencies at work that need your
24 immediate attention and would cause you to not be able to concentrate on the proceedings
25 in court?

26 20. Do any of you have any family emergencies needing your immediate
27 attention that would cause you to not be able to concentrate on the proceedings in court?
28

1 21. Do any of you need special accommodations to allow you to concentrate on
2 the proceedings in court for an extended period of time?

3 22. Do any of you have any moral, religious, or philosophical beliefs that
4 would prevent you from sitting in judgment of, and returning a verdict against, another
5 person?

6 23. As a juror, your obligation would be to apply the facts according to the law
7 as given to you by the Court. You must follow the Court's instructions on the law, even
8 if you disagree with those instructions. Is there anyone who would be unable or
9 unwilling to follow the Court's instructions if you thought the law was wrong or unfair?

10 24. Can any of you think of any reason that would prevent you from being able
11 to render a fair and impartial verdict based solely on the evidence and the law as the
12 Court will instruct you at the conclusion of this case?

13 **B. Case Specific Questions**

14 25. One of the witnesses in the case is an operator of multiple medical and
15 recreational marijuana businesses in the state of Washington. Is there anyone who
16 would find it difficult to credit or believe the testimony of this witness solely because the
17 witness operates these businesses?

18 26. Do you believe that bribery involving a public official is a victimless
19 crime?

20 27. Have you, any immediate family member, or any close friend ever had any
21 experiences of any kind with bribery either within the United States or in any foreign
22 country?

23 28. Have any of you ever been reprimanded or disciplined for receiving an
24 improper gift or bribe?

25 29. Do any of you hold strong opinions about the Internal Revenue Service?
26
27
28

1 30. Have you, any member of your family, or any of your close friends ever
2 been audited by the IRS?

3 If so:

- 4 a. Was the matter resolved to your satisfaction?
5 b. Were you treated fairly by the government officials?
6 c. Would that experience prevent you from listening to the
7 government's case fairly and impartially and rendering a verdict according to the
8 evidence?

9 31. Have any of you, or any member of your immediate family, had any type of
10 negative experience in dealing with the Internal Revenue Service?

11 32. Do any of you think that the tax laws of the United States are
12 unconstitutional?

13 DATED this 29th day of January, 2016.

14 Respectfully submitted,

15 ANNETTE L. HAYES
16 United States Attorney

17 /s/ JUSTIN W. ARNOLD
18 JUSTIN W. ARNOLD
19 FRANCIS FRANZE-NAKAMURA
20 Assistant United States Attorneys
21 700 Stewart Street, Suite 5220
22 Seattle, Washington 98101
23 Phone: 206-553-7970
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2016, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s).

s/Dru Mercer

DRU MERCER

Paralegal Specialist

United States Attorney's Office

700 Stewart Street, Suite 5220

Seattle, Washington 98101-1271

Phone: (206) 553-7970

FAX: (206) 553-2502

E-mail: dru.mercer@usdoj.gov